

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1331-337

C# M#

Reid W. von Borstel

TC/A.U.

1632

Serial No. 09/838,136

Examiner: Ganapathy Krishnan

Filed: April 20, 2001

Date: February 5, 2004

Title: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
FEB 9 2004  
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Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 2 minus highest number  
previously paid for 43 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 1 minus highest number  
previously paid for 5 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

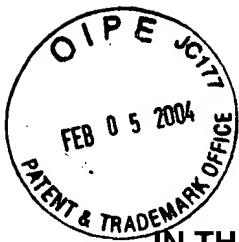
**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In-re-Patent Application of

Reid W. von Borstel

Atty. Ref.: 1331-337; Confirmation No. 2922

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For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL  
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\* \* \* \* \*

February 5, 2004

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Sir:

**AMENDMENT**

In response to the Official Action mailed November 5, 2003, please amend the  
above-identified application as follows: